**Before the**
**Federal Communications Commission**
**Washington, D.C. 20554**

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| In the Matter of | ) | |
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| Transition from TTY to Real-Time Text Technology | ) | CG Docket No. 16-145 |
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| Petition For Rulemaking To Update The Commission's Rules For Access To Support The Transition From TTY To Real-Time Text Technology, And Petition For Waiver Of Rules Requiring Support Of TTY Technology | ) | GN Docket No. 15-178 |
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**COMMENTS OF SORENSON COMMUNICATIONS, INC. AND CAPTIONCALL, LLC**

Sorenson Communications, Inc. ("Sorenson") and its subsidiary CaptionCall, LLC ("CaptionCall") (collectively "Sorenson") hereby submit these comments on the Commission's Order and Further Notice of Proposed Rulemaking ("*Order*" or "*FNPRM*") with respect to the implementation of Real Time Text ("RTT") services.[1] Among other things, the *FNPRM* seeks comment on whether "the incorporation of RTT into the provision of [telecommunications relay service ("TRS")] operations should be mandated or only allowed."[2] Though the Commission should allow TRS providers to incorporate RTT into their operations, at least with respect to video relay service ("VRS") and Internet-protocol captioned telephone Service ("IP CTS"), the Commission should not mandate that they do so. VRS already provides an accessible means to communicate with 911, and RTT is thus not necessary to enable a deaf individual to

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1 *Transition from TTY to Real-Time Text Technology*; *Petition for Rulemaking to Update The Commission's Rules for Access to Support the Transition from TTY To Real-Time Text Technology, and Petition For Waiver Of Rules Requiring Support of TTY Technology*, Report and Order and Further Notice of Proposed Rulemaking, FCC 16-169, CG Docket No. 16-145; GN Docket No. 15-178, (rel. Dec. 16, 2016) ("*Order*" or "*FNPRM*").

2 *Id*. ¶ 83.

communicate with 911. Similarly, IP CTS provides captions for calls that the underlying provider routes directly to 911, providing the needed accommodation.

In addition, IP CTS and VRS are principally used as fixed services, for which the Commission has not mandated RTT, and to the extent that VRS or IP CTS is used over a mobile wireless handset, RTT will already be required and available to the end user pursuant to the *Order*. Neither VRS nor IP CTS provides an end-to-end text channel between the calling and called parties, and the party that is not a VRS or IP CTS subscriber may very likely not have an RTT-capable phone. In addition, IP CTS providers are captioning the voice of the non-IP CTS user, without any communications between the IP CTS user and the Communications Assistant providing the captions, so it is not evident how RTT would be used with IP CTS. It is thus wholly unclear what an RTT mandate would accomplish as applied to VRS and IP CTS.

## I. This *Order* Already Ensures that Disabled Consumers Who Rely on Wireless Communication Services Can Still Access Their Preferred Accommodation.

The purpose of this proceeding has been to ensure that hearing- or speech-disabled consumers who use wireless communications services can continue to access their preferred accommodation when using the telephone and, in particular, to reach 911. The *Order* accomplishes that purpose in part by allowing "wireless service providers to support TRS access through RTT technology, including via 711 abbreviated dialing access, in lieu of supporting TRS through TTY technology."[3] The Commission has further explained that "[t]his approach is designed to ensure that RTT users can place and receive TRS calls through state TRS program call centers even when such centers are not equipped to receive RTT calls."[4]

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[3] *Id*. ¶ 78.

[4] *Id*.

Indeed, a few hearing- and speech-impaired consumers utilize "traditional" TRS to communicate over the telephone. With "traditional" TRS, the consumer uses a teletypewriter, or "TTY," to dial 711 and connect to a relay operator, who then initiates a telephone call with a far-end user. The disabled consumer types text messages into the TTY, and the relay operator translates those messages into spoken words for the far-end user. The relay operator also translates the far-end user's spoken words into text messages, which are transmitted to and displayed on the disabled consumer's TTY. Though the use of this form of TRS is declining, some consumers still rely upon it to engage in vital telephone communications.

As the Commission is well-aware, wireless communications services have become more and more common, and large numbers of consumers are "cutting the cord." Some of today's wireless voice technologies, however, do not support TTY. Without the actions taken in the *Order*, disabled consumers who wish to use those wireless services, but who rely on TTY technology, would be unable to use TTY-dependent traditional TRS. Once the Commission's action is fully implemented, such consumers will be able to utilize traditional TRS through their wireless devices using RTT instead of TTY. The Commission's action serves the public interest and comports with the ADA's mandates that the Commission "ensure" that TRS is "available, to the extent possible" and that the Commission foster "the development of improved technology."[5] By mandating the use of RTT on wireless devices, the Commission ensures that advances in wireless technology do not leave a portion of the disabled community without access to their preferred accommodation for use of the telephone.

[5] 47 U.S.C. §§ 225(b)(1), (d)(2).

## II. Mandating that TRS Providers Incorporate RTT Into Their Operations Would Exceed the Scope of this Proceeding and Impose Unnecessary Burdens on Providers.

The *FNPRM*, however, raises an entirely different issue: whether the Commission should mandate RTT as an add-on *feature* to *existing* IP-based forms of TRS, such as VRS, IP CTS, and Internet-protocol relay service ("IP Relay"). Unlike traditional TRS, advances in technology do not threaten disabled consumers' ability to utilize these services. To the contrary, each IP-based form of TRS harnesses the capabilities of modern broadband networks to deliver robust accommodations that are far superior to traditional TTY-based TRS.

For some IP-based services, and in some specific circumstances, the incorporation of RTT can yield incremental consumer benefits. With VRS, for example, a deaf consumer can communicate with a video interpreter using sign language, which is typically the deaf consumer's primary language. VRS also allows deaf consumers to engage in "point-to-point" sessions with other deaf consumers, which are video sessions that allow the consumers to sign to one another. Whether communicating with a relay operator or another deaf consumer, it may be useful at times for the deaf consumer to use text, whether to transmit a pre-programmed address, or to spell out terms, such as names of prescription drugs, that may be difficult to sign. To address this consumer need, Sorenson's VRS platform already supports RTT. Moreover, the current SIP Forum VRS Interoperability Profile recommends that VRS providers support RTT capability.[6]

For other IP-based services, incorporation of RTT into the relay operation is unlikely to yield any consumer benefits. IP CTS, for example, is currently used primarily in wireline

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[6] *See* SIP Forum, US Video Relay Service (VRS) Provider Interoperability Profile, Version 15, SIP Forum Document Number: VRS US Providers Profile TWG-6-0.15 (August 20, 2015) (Provider Interoperability Profile), http://www.sipforum.org/component/option,com_docman/task,cat_view/gid,160/Itemid,75/.

environments. On an IP CTS call, the communications assistant is not part of the call flow, and the end-to-end connection is provided by the user's underlying service provider, not by the IP CTS provider. During the call, the hearing-impaired consumer's CPE uses a broadband connection to transmit the far-end user's voice to a call center, where a communications assistant repeats that side of the conversation into voice-recognition software. The call center then returns text to the hearing-impaired consumer's CPE. The hearing-impaired consumer's voice does not pass through the call center, and the hearing-impaired consumer thus has no reason to send text to the communications assistant.

Certainly, there may be situations where a disabled consumer would prefer to communicate with the far-end user using text messages. But IP Relay already provides that capability. And to the extent that disabled consumers wish to use wireline devices to engage in simultaneous voice and RTT communication, the Commission has concluded "that it would be premature at this time to address application of RTT to the wireline environment."[7] The record gives no reason to conclude that CPE provided by companies like CaptionCall should be subject to mandates that do not apply to other wireline CPE.

Even in the wireless environment, there is no reason to mandate that IP CTS providers incorporate RTT into their software. On wireless devices, IP CTS is generally an over-the-top application that allows consumers to receive captions during a call carried by other providers. Once the *Order* is implemented, the consumer's wireless device and service will presumably support RTT, permitting the consumer to send and receive RTT messages with other RTT-capable users, and there would be no reason for IP CTS providers to incorporate redundant RTT functionality into their software.

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[7] *Order* ¶ 13.

For TRS providers to incorporate RTT into their services, they will have to incur substantial costs. Where the consumer will benefit, as is the case with VRS, providers such as Sorenson may elect to incur those costs. Where the consumer will not benefit, as with IP CTS, an RTT mandate will impose needless costs on providers and, as a result, put unnecessary strain on the TRS Fund or force providers to divert resources away from features that actually do benefit consumers, such as improving speed of answer or limiting captioning latency. All TRS providers currently operate in a highly competitive environment, and if consumers benefit from the incorporation of RTT into TRS, providers will do so in order to enhance their competitive position. The Commission should allow this market to function and permit—but not mandate—TRS providers to incorporate RTT into their services.

## III. Conclusion.

For the reasons stated herein, the Commission should not mandate that providers incorporate RTT into their IP-based TRS operations.

Respectfully submitted,

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